

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LOTES CO., LTD.,

No. C 11-01036 WHA

Plaintiff,

v.

**ORDER RE CLAIM  
CONSTRUCTION  
PURSUANT TO CASE  
MANAGEMENT ORDER**

HON HAI PRECISION INDUSTRY CO.,  
LTD., and FOXCONN ELECTRONICS,  
INC.,

Defendants.

There seems to be some confusion in this matter regarding proper procedures for claim construction hearings pursuant to paragraphs 14 and 15 of the case management order.

Paragraph 14 provides, “Instead of a stand-alone claim construction hearing, claim construction will . . . be done on summary judgment or at trial in setting the jury instructions.” Paragraph 15 sets forth page limits and other procedural rules for summary judgment motions (Dkt. No. 228 at 4–5). This order clarifies that paragraph 15 applies regardless of whether a party chooses to include arguments about claim construction in summary judgment briefing. The case management order does not, however, obviate the parties’ responsibility to comply with Patent Local Rules, *e.g.*, regarding claim construction exchanges, discovery, and briefing.

**IT IS SO ORDERED.**

Dated: January 23, 2017.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE